

Application No.: 10/067,047

Case No.: 57147US002

REMARKS

Claims 1, 2, 6 and 21 have been amended. Claim 8 has been cancelled. Claims 1-7 and 9-21 are presented for further examination. Support for the amendment to claim 1 can be found in the Specification, for example at page 7, lines 20-30 as well as in the originally filed claims 2, 6, 8 and 21. Amendments to claims 2, 6 and 21 are made to avoid duplication in the recitation of certain claim elements.

In the recent Office Action, Claims 1-21 were rejected under 35 U.S.C. §112, paragraph 1, as being of "undue breadth." It is believed that the amendments to claim 1 render this rejection as moot. Consequently, the reconsideration and withdrawal of the Office's section 112 rejection of applicant's claims is requested.

Claims 1-21 have been rejected under 35 U.S.C. §103(a) as unpatentable over Kreckel et al. (US 5,989,708) in view of Joseph et al. (U.S. 5,238,733). The rejection is respectfully traversed, and the reconsideration and withdrawal of this rejection is requested. Kreckel et al. (herein "Kreckel") disclose a removable tape comprising a highly extensible and substantially inelastic backing and a pressure sensitive adhesive that is preferably highly extensible (Abstract). The backing can be in the form of a foam-like film (col. 4, line 11). The backing can be made from materials such as polymers, plastic materials, plastic and elastomeric materials, and filled materials. The backings of Kreckel can be made by any known method of forming, and they can be pretreated prior to coating or laminating an adhesive onto the backing. However, Kreckel does not disclose or suggest a polymeric foam having adhesive properties with fibrous reinforcing material consisting essentially of fibrous material dispersed throughout the foam and oriented in the machine direction to impart stretch release properties to the article, as in the present invention (see amended claim 1).

The secondary reference to Joseph et al. (herein "Joseph") does not make up for the deficiencies of Kreckel. Joseph describes melt-blown multilayer fibers prepared by creating fibers having distinct layers of low modulus material and high modulus material (col. 2, lines 23-24; col. 5, lines 51-60). The fibers may be used to make a non-woven highly extendable web. Such a non-woven web would be extendable in both the machine direction and the

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cross direction. Consequently, Joseph does not teach or suggest the inclusion of fibrous reinforcing material consisting essentially of fibrous material dispersed throughout a polymeric foam material oriented in the machine direction to impart stretch release properties to the article. While the non-woven web provided by Joseph is useful as a tape backing capable of being bonded to a substrate and removed therefrom by stretching the backing (col. 11, lines 10-13), Joseph does not disclose or suggest foam materials containing oriented fibrous material dispersed throughout a foam layer to impart stretch release properties to the foam.

For at least the foregoing reasons, reconsideration and withdrawal of the section 103(a) rejection of Applicant's claims is now requested.

Applicant has endeavored to address all of the issues raised in the recent Office Action. It is believed that the application is in condition for allowance, and the allowance of all pending claims is now requested.

Respectfully submitted,

January 28, 2005
Date

By: Daniel R. Pastirik
Daniel R. Pastirik, Reg. No.: 33,025
Telephone No.: (651) 737-2685

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833